

*Young, J.*

**CERTIFIED COPY**

**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

No. 05-2217  
DC No. 05-cv-11089

JAY WOODWARD,  
Petitioner - Appellant,

v.

UNITED STATES,  
Respondent - Appellee.

**ORDER OF COURT**  
**Entered: August 23, 2005**

Appellant has filed an application to proceed without prepayment of fees and affidavit in this court with prison trust account information, which we transmit to the district court for action. Fed. R. App. P. 24(a). Copies of the district court's ruling shall be forwarded to this court. The district court, if it denies the motion, is requested to state its reasons in writing. Fed. R. App. P. 24(a)(2). If defendant-appellant is not granted in forma pauperis status by the district court, he may file a motion to proceed in forma pauperis in this court, provided that he do so in accordance with Fed. R. App. P. 24(b).

By the Court:

Richard Cushing Donovan, Clerk

By: **JULIE GREGG**  
Operations Manager

Certified Copies to the Honorable William J. Young, Tony Anastas, Clerk USDC,  
cc: Messrs. Woodward, Cabell, Ms. Chaitowitz

**CERTIFIED COPY**

I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY OF  
THE ORIGINAL ON FILE IN MY OFFICE  
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS  
BOSTON, MA

*[Signature]* Date: *8/23/05*

AO 240 (1/94)

**United States District Court***Eastern*

DISTRICT OF

*Massachusetts**JAY WOODWARD*

Plaintiff

**APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT**

V.

*UNITED STATES OF AMERICA*  
Defendant

CASE NUMBER:

*05-CV-11089*  
*05-2217*I, *Jay Woodward* declare that I am the (check appropriate box)☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC. §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?: ☒ Yes ☐ No (If "No" go to Part 2)If "Yes" state the place of your incarceration *F.C.C. Medium, P.O. Box 3000, Forrest City, AR 72336*Are you employed at the institution? *yes* Do you receive any payment from the institution? *yes*

Have the institution fill out the Certificate portion of this affidavit and attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☐ No

a. If the answer is "Yes" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. if the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have your received any money from any of the following sources?

- |   |   |                             |
|---|---|-----------------------------|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
| f. Any other sources                              | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above is "Yes" describe each source of money and state the amount received and what you expect you will continue to receive. *From family every once in a while*

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4. Do you have **any** cash or checking or savings accounts? ☐ Yes ☒ No

If "Yes" state the total amount. \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property? ☐ Yes ☒ No

If "Yes" describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

I declare under penalty of perjury that the above information is true and correct.

8-17-2005  
DATE

  
SIGNATURE OF APPLICANT

### CERTIFICATE

(Incarcerated applicants only)  
(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 7.75 on account to his/her credit at (name of institution) Fed. Corr. Complex, Forrest City, Ar. I further certify that the applicant has the following securities to his/her credit: \_\_\_\_\_

\_\_\_\_\_. I further certify that during the past six months the applicant's average balance was \$ \$150.00.

8/17/05  
DATE

  
SIGNATURE OF AUTHORIZED OFFICER